



Meeting of States Parties

Distr.: General
28 January 2009

Original: English

Special Meeting
New York, 6 March 2009

Election of a member of the International Tribunal for the Law of the Sea

Note by the Registrar of the International Tribunal for the Law of the Sea on the election procedures

I. Election of a member of the Tribunal

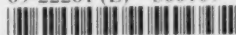
1. Article 6, paragraph 1, of the Statute of the Tribunal provides that vacancies in the membership of the Tribunal shall be filled by the same method as that laid down for the first election, subject to the provision that the Registrar of the Tribunal shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in article 4 of the Statute, and the date of the election shall be fixed by the President of the Tribunal after consultation with the States Parties. Article 6, paragraph 2, of the Statute further provides that a member of the Tribunal elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

2. With the death of Judge Choon-Ho Park (Republic of Korea) on 12 November 2008, a vacancy has occurred in the Tribunal for the remainder of his term of nine years, which would have ended on 30 September 2014. Pursuant to article 6 of the Statute of the Tribunal, the election to fill the vacancy for the remainder of the term will be held on 6 March 2009.

3. Two persons were nominated, and their names were circulated to the States Parties in document SPLOS/186. The curricula vitae of the candidates were circulated in document SPLOS/187.

II. Procedure

4. Pursuant to article 4, paragraph 4, of the Statute, the members of the Tribunal shall be elected by secret ballot at a meeting of States Parties convened by a procedure agreed to by the States Parties. Two thirds of the States Parties shall constitute a quorum at such meeting. Article 4, paragraph 4, of the Statute further stipulates that the "persons elected to the Tribunal shall be those nominees who



obtain the largest number of votes and a two-thirds majority of the States Parties present and voting, provided that such majority includes a majority of the States Parties”.

5. The procedure for the first election determined by the Meeting of States Parties at its fifth meeting (see SPLOS/14, para. 15) is set out in document SPLOS/L.3/Rev.1 of 31 July 1996. In adopting the procedure contained therein, the Meeting decided, *inter alia*, that the 21 members of the Tribunal shall be elected as follows:

- (a) Five judges from the African Group;
 - (b) Five judges from the Asian Group;
 - (c) Four judges from the Latin American and Caribbean Group;
 - (d) Four judges from the Western European and Other States Group;
 - (e) Three judges from the Eastern European Group.
6. The fifth Meeting of States Parties decided that the arrangements would be applicable to the first election and would not prejudice the arrangements for any other election (see SPLOS/L.3/Rev.1, para. 12).
7. Articles 2 and 3 of the Statute provide as follows:

“Article 2

“Composition

“1. The Tribunal shall be composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

“2. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

“Article 3

“Membership

“1. No two members of the Tribunal may be nationals of the same State. A person who for the purposes of membership in the Tribunal could be regarded as a national of more than one State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

“2. There shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations.”



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List of candidates nominated by States parties

Note by the Registrar of the International Tribunal for the Law of the Sea

1. Owing to the death of Judge Choon-Ho Park on 12 November 2008, a vacancy has occurred in the Tribunal.
2. In accordance with the provisions of articles 4 and 6 of the Statute of the Tribunal, the Registrar, in a note verbale dated 20 November 2008, invited the Governments of the States parties to communicate to him, from 28 November 2008 to 27 January 2009, the names of the candidates they wish to nominate for membership of the Tribunal.
3. In the same note verbale, the Registrar informed the States parties that, pursuant to article 6 of the Statute of the Tribunal, the President of the Tribunal, after consultation with the President of the Meeting of States Parties, proposed to have the election held on 6 March 2009 and invited the States parties to communicate their comments in that regard, if any, by 19 December 2008. No States parties communicated comments concerning the date of the election.
4. In a note verbale dated 22 December 2008, the Registrar informed the States parties that the President of the Tribunal, in accordance with article 6, paragraph 1, of the Statute, had decided that the election to fill the vacancy created by the death of Judge Park for the remainder of the term for which he had been elected (ending on 30 September 2014) would take place on 6 March 2009.
5. Article 4, paragraph 2, of the Statute provides that the Registrar shall prepare a list in alphabetical order of all the persons nominated by the States parties, with an indication of the States parties which have nominated them. The list is contained in the annex to the present note.
6. The curricula vitae of the candidates will be circulated in document SPLOS/187.

Annex

List of candidates for the election of a member of the International Tribunal for the Law of the Sea

Name and nationality

Nominated by

Jin-Hyun PAIK (Republic of Korea)

Republic of Korea

Nugroho WISNUMURTI (Indonesia)

Indonesia



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Curricula vitae of candidates nominated by States parties

Note by the Registrar

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I. Introduction

The Registrar hereby submits to the Meeting of States Parties the curricula vitae of the candidates nominated by States parties for the election of a member of the International Tribunal for the Law of the Sea, which will take place at the special meeting. A list of the candidates nominated by States parties is contained in document SPLOS/186.

II. Curricula vitae of candidates

PAIK, Jin-Hyun
(Republic of Korea)

Born February 1, 1958
Seoul, Republic of Korea

Nationality Korean

Current Position

Professor of International Law, Graduate School of International Studies (GSIS),
Seoul National University, Korea

Director, Institute of International Affairs (IIA),
Seoul National University, Korea

Contact Info

Graduate School of International Studies, Seoul National University, San 56-1 Sillim-Dong,
Gwanak-Gu, Seoul, Republic of Korea

Tel: 02-880-8513

Fax: 02-873-0654

Email: jhpaik@snu.ac.kr

Education

1980 LL.B., Seoul National University, Korea

1983 LL.M., Columbia University, School of Law, USA

1989 Ph.D., University of Cambridge, United Kingdom (International Law)

Thesis: "The Development and Application of Rules for the Delimitation of the Continental Shelf with Particular Reference to the Maritime Boundary Disputes in the East China Sea"

Experience

Attorney-at-law (Member of New York Bar)

- | | |
|-----------|---|
| 1985 | Doctoral Scholarship Fellow (Bourse de doctorat), Hague Academy of International Law, Netherlands |
| 1990-1997 | Professor, Institute of Foreign Affairs and National Security, Ministry of Foreign Affairs, Korea |
| 1990-1993 | Legal Advisor to the Korean Delegation to the negotiations for Mutual Legal Assistance Treaty/Extradition Treaty with Canada, United States, Brazil, Thailand, and Australia |
| 1990-1994 | Legal Advisor to the Korean Delegation to the Preparatory Commission for the International Seabed Authority and International Tribunal for the Law of the Sea (8th - 12th sessions) |
| 1990-Now | Chairman, Research Committee, Sea Lanes of Communication (SLOC) Study Group, Korea |
| 1991-1992 | Chairman, Asian Group of the G-77, Preparatory Commission for the International Seabed Authority and International Tribunal for the Law of the Sea |
| 1992 | Member of the Korean Delegation to United Nations Special Committee on Peacekeeping Operations |
| 1992-1997 | Legal Advisor to the Korean Delegation to the negotiations for Fishery Agreements with China, Japan, and for the Central Bering Sea |
| 1993-1994 | Legal Advisor to the Korean Delegation to the United Nations Secretary-General's informal consultations on the Law of the Sea (5th-8th sessions) |
| 1993-1995 | Member of the Korean Delegation to the United Nations General Assembly (6th Committee; 48th - 50th sessions) |
| 1994-Now | Member, Council for Security Cooperation in the Asia-Pacific (CSCAP), Maritime Cooperation Working Group |
| 1994-1997 | Member, Presidential Commission on Policy Planning, Korea |

1995	Legal Advisor to the Korean Delegation to the Assembly of International Seabed Authority
1997-Now	Professor, Graduate School of International Studies, Seoul National University, Korea
1999-2000	Member, Advisory Committee to National Security Council, Korea
2000	Visiting Fellow, RAND Corporation, USA
2000-2002	Member, Advisory Committee to Ministry of Foreign Affairs and Trade, Korea
2003, 2005-2007	Associate Dean, Graduate School of International Studies (GSIS), Seoul National University, Korea
2003-2004	Visiting Professor to Johns Hopkins University's School of Advanced International Studies (SAIS) and Visiting Fellow to Stanford University's Hoover Institution, USA
2006-2008	Director, SNU-KIEP EU Center, Seoul National University, Korea
2006-Now	Director, Haesung Institute for Ethics in International Affairs, Korea
2008-Now	President, Korean Council on the United Nations System (KACUNS)
2008-Now	Director, Institute of International Affairs (IIA), Seoul National University, Korea

Languages

Korean (native), English (fluent), Japanese (intermediate), French

Editorial Experience

1991-Now	Member, Editorial Committee, Korean Journal of International and Comparative Law
1997-2000	Managing Editor, Journal of International and Area Studies (JIAS; formerly Asia Journal)
2001-Now	Member, Editorial Board, International Studies Review (ISR)
2008-Now	Editor-in-chief, Journal of International and Area Studies (JIAS)

Publications

8 monographs and over 100 articles in academic journals in English and Korean on the law of the sea, international law and organizations, and Korea's foreign and security policy (list of selected publications attached)

Books (English and Korean)

Maritime Issues in the 1990s: Antarctica, the Law of the Sea and Marine Environment, Jin-Hyun Paik and Others (eds.), Seoul Press, 1992

A Study on Mutual Legal Assistance in Criminal Matters, co-authored with Kyun-seok Cho, Korean Institute of Criminology Press, 1993 (in Korean)

Exploring Maritime Cooperation in Northeast Asia: Possibility and Prospects, Jin-Hyun Paik and Others (eds.), Seoul Press, 1993

Ocean Affairs in Northeast Asia and Prospects for Korea-China Cooperation, Jin-Hyun Paik and Jiao Yongke (eds.), Seoul Press, 1994

Marine Policy, Maritime Security and Ocean Diplomacy in the Asia-Pacific, Jin-Hyun Paik and Others (eds.), Seoul Press, 1995

United Nations Convention on the Law of the Sea and East Asia, Jin-Hyun Paik and Others (eds.), Seoul Press, 1996

Conflict and Order at Sea, Jin-Hyun Paik and Others (eds.), Seoul Press, 1999

Compliance with Multilateral Environmental Agreements: with Particular Reference to the London Protocol, co-authored with Ki-hoon Hong, Seoul Press, 2006 (in Korean)

Selected Articles (English and Korean)

"Some Legal Problems relating to Maritime Jurisdiction of North Korea," J. Craven, J. Schneider and C. Stimson (eds.), The International Implications from the Extended Maritime Jurisdiction in the Pacific, University of Hawaii Press, 1989

"A Single Boundary for the Continental Shelf and the EEZ," Korean Journal of Comparative Law, Vol. 17, 1989

"Evolution of Rules for Maritime Boundary Delimitation and Boundary Issues around the Korean Peninsula," Ocean Policy Studies, Vol. 6, No. 1, 1991 (in Korean)

"A Study on the Substitution of Armistice Regime on the Korean Peninsula," Korean Journal of Unification Affairs, Vol. 3, No. 4, 1991 (in Korean)

"Deep Seabed Mining Regime: A Stumbling Block to the Universality of the United Nations Convention on the Law of the Sea?," Korean Journal of Comparative Law, Vol. 19, 1991

"Inter-Korean Economic Cooperation and US Trade Restrictions against North Korea," Korean Journal of Unification Affairs, Vol.4, No.2, 1992 (in Korean)

"Relation between User States and Coastal States with Respect to International Navigation," E. Miles and T. Kuribayashi (eds.), The Law of the Sea in the 1990s: A Framework for Further International Cooperation, University of Hawaii Press, 1992

"Prospects for the EEZ in Northeast Asia: Opportunities and Problems", J.H. Paik and others (eds.), Exploring Maritime Cooperation in Northeast Asia: Possibility and Prospects, 1993

"Inter-Korean Shipping Cooperation and International law," Seoul International Law Journal, Vol.1, No.1, 1994 (in Korean)

"Security of SLOCs in the Western Pacific: Recommendation for Enhanced Cooperation," B. Nagara and K. Balakrishnan (eds.), The Making of A Security Community in the Asia-Pacific, 1994

"Rethinking Collective Security in the Post-Cold War World," J.Y. Ra (ed.), The New World Order and the Role of the United Nations, 1994

"Korean Perspective on Current Fishing Regime in Northeast Asia", J.H. Paik and Others (eds.), Ocean Affairs in Northeast Asia and Prospects for Korea-China Cooperation, Seoul Press, 1994

"East Asia and the Law of the Sea," D. Rothwell and J. Crawford (eds.), The Law of the Sea in the Asian Pacific Region: Developments and Prospects, Martinus Nijhoff Publishers, 1994

"The United Nations Convention on the Law of the Sea and Northeast Asian Maritime Practice," Korean Journal of Comparative Law, Vol. 22, 1994

"The Expanding Roles of the United Nations in International Security and Korea," Journal of Security Studies, Vol. 5, No.1, 1995 (in Korean)

"Law and Practice of Environment-Related Trade Measures: with Particular Reference to the Interpretation and Application of Multilateral Trade Rules," Korean Journal of International Law, Vol. 40, No.1, 1995 (in Korean)

"Can the United Nations Make Peace?: United Nations Peacemaking in International Law and Relations," Kyung-Won Kim (ed.), The Rise of East Asia and the United Nations, 1995

"Building a Peace Regime on the Korean Peninsula," Korea and World Affairs, Vol. XIX, No. 3, 1995

"Multilateral Security Regime in Northeast Asia and Sino-Korea cooperation," Sino-Soviet Affairs, Vol. 19, No. 4, 1995/1996 (in Korean)

"Exploitation of Natural Resources: Potential for Conflicts in Northeast Asia," Sam Bateman and Stephen Bates (eds.), Calming the Waters: Initiatives for Asia-Pacific Maritime Cooperation, CPN Publication, 1996

"Strengthening Maritime Security in Northeast Asia," Bunn Nagara and Cheah Siew Ean (eds.), Managing Security and Peace in the Asia-Pacific, ISIS Malaysia, 1996

"Exclusive Economic Zone and Maritime Boundary Delimitation in Northeast Asia", Sam Bateman and Stephen Bates (eds.), The Seas United, CPN Publication, 1996

"Legal Aspects of United Nations Peacekeeping: with Particular Reference to Domestic Law and Practice of Korea," Seoul International Law Journal, Vol. 3, No. 2, 1996

"UNCLOS and Boundary Delimitation in East Asia," Korean Journal of Comparative Law, Vol. 24, 1996

"Security Cooperation in Northeast Asia and the Korean Peninsula," Sino-Soviet Affairs, Vol. 21, No. 2, 1997 (in Korean)

"Multilateralism and the Korean Peninsula," Korea and World Affairs, Vol. XXI, No. 1, 1997

"Territorial Disputes in Northeast Asian Seas: Situations, Possibilities and Prognosis," Mohamad Jawhar Hassan and Sheikh Ahmad Raffie (eds.), Bringing Peace to the Pacific, ISIS Malaysia, 1997

"Exclusive Economic Zone in Northeast Asia: Source of Conflict or Avenue towards Cooperation?," Korea and World Affairs, Vol. XXI, No. 4, 1997

"Thinking Strategically about Security in the Pacific Asia," Hanns Maull, Gerald Segal and Jusuf Wanandi (eds.), Europe and the Asia Pacific, Routledge, 1998

"Science and Technology in Environmental Diplomacy," Journal of International and Area Studies, Vol. 7, No. 2, 1998 (in Korean)

"Security Multilateralism in the Asia-Pacific: Merits and Limitations," K.I. Baek (ed.), Comprehensive Security and Multilateralism in Post-Cold War East Asia, 1999

"Use of Force, United Nations and the Kosovo Conflict," International Studies, Vol. 30, No. 6, 1999 (in Korean)

"Law and Practice of International Regulation on Dumping of Wastes at Sea," Seoul International Law Journal, Vol. 6, No. 2, 1999 (in Korean)

"Maritime Security Cooperation in the Asia-Pacific: Challenges and Tasks," Journal of International and Area Studies, Vol. 8, No. 3, 1999 (in Korean)

"Creating a Multilateral Cooperative Security System in East Asia," Ralph A. Cossa (ed.), US-Korea-Japan Relations: Building Toward a "Virtual Alliance", CSIS Press, 1999

"Maritime Security in the Asia-Pacific", William Tow and Ramesh Thakur (eds.), Asia's Emerging Regional Order: Reconciling Traditional and Human Security, United Nations University Press, 2000

"Domestic Legal Effect of Treaties: Comparative Analysis of Theories, Practice and Policy," Korean Journal of International Law, Vol. 45, No. 1, 2000 (in Korean)

"Legal Issues related to Replacing Armistice Regime with Peace Regime on the Korean Peninsula," Seoul Law Journal, Vol. 41, No. 2, 2000 (in Korean)

"A Study on the Law and Institutions related to Verification of Arms Control," Strategic Studies, Vol. 11, No. 2, 2002 (in Korean)

"Implementing Mechanism of the Kyoto Protocol to the Framework Convention on Climate Change," Journal of International and Area Studies, Vol. 12, No. 4, 2003 (in Korean)

"Analysis of International Negotiation: The Case of Korea-Japan Fishery Negotiation," Dispute Resolution Studies Review, Vol. 2, No. 2, 2004 (in Korean)

"Assessing the UNCLOS Regime: with Particular Reference to the Law of the Sea Institutions," Korean Journal of International Law, Vol. 50, No. 3, 2005 (in Korean)

"Maritime Security in East Asia: Major Issues and Regional Response", Journal of International and Area Studies, Vol. 12, No. 2, 2005

"Dokdo Issue and International Conflict Management," Dispute Resolution Studies Review, Vol. 4, No. 1, 2006 (in Korean)

WISNUMURTI, Nugroho (Indonesia)

Ambassador Nugroho Wisnumurti is a seasoned diplomat and expert in international law who has vast experience in legal drafting and in negotiating bilateral, regional and international treaties and agreements. He has participated in numerous regional and international conferences on legal (including on the law of the sea and human rights), political and economic topics.

Ambassador Nugroho Wisnumurti was born in Surakarta, Indonesia on 23 March 1940. He is married to Mrs. Nan Irama Wisnumurti, and has one daughter, Mrs. Irawati Wibisono.

He is a graduate of Columbia University School of Law (Master of Law - LLM, 1973) and University of Indonesia School of Law (Master of Law - S.H, 1965).

Ambassador Nugroho Wisnumurti currently holds the following positions:

- Member of the United Nations International Law Commission (1 January 2007 - present).
- Partner, Ali Budiardjo, Nugroho, Reksodiputro (ABNR), Counsellors at Law (1 April 2004 - present).
- Lecturer on International Law and International Organizations, University of Indonesia School of Law (1 June 2004 - present).
- Patron and Honorary Editor, "Indonesian Journal of International Law" (2004 - present).
- Senior Fellow, Centre for Strategic and International Studies (CSIS), (29 October 2004 - present).

Ambassador Wisnumurti has served as:

- Ambassador/Permanent Representative of Indonesia to the United Nations and other international organizations in Geneva, Switzerland (2000-2003).
- Member of United Nations Secretary-General's Advisory Board on Disarmament Matters (1999-2003).
- Ambassador/Permanent Representative of Indonesia to the United Nations, New York, and concurrently Ambassador to Jamaica, the Bahamas, Guatemala and Nicaragua (1992- 1997).
- Representative of Indonesia to the United Nations Security Council (1995-1996) and served as the rotating President of the Council (August 1995 and November 1996).

- Chairman of the Coordinating Bureau of the Non-Aligned Movement (1992-1995).
- Member of the "United Nations Group of Experts of the Non-Aligned Movement South Centre on the United Nations Role in Promoting International Cooperation" (1991-1992).
- Negotiator/Chief Negotiator, agreements on maritime delimitation and land boundaries with neighboring countries and agreements on fisheries (1977-1989).
- Member and Secretary of the Indonesian Delegation to the Third United Nations Conference on the Law of the Sea (1973-1982).

Ambassador Nugroho Wisnumurti has also served as:

- Director-General for Political Affairs, Department of Foreign Affairs of the Republic of Indonesia (1997-2000).
- Director for Legal and Treaties Affairs, Department of Foreign Affairs of the Republic of Indonesia (1987-1989).
- Deputy Director for Legal and Treaties Affairs, Department of Foreign Affairs of the Republic of Indonesia (1977-1982).
- Member of the Indonesian Delegation to the Legal Committee of the UN General Assembly (1972-1977).

Ambassador Nugroho Wisnumurti is the author of articles on international law, including the law of the sea, human rights, disarmament issues and international affairs, published in national and international periodicals.



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Agenda

1. Opening of the Special Meeting by the President of the eighteenth Meeting.
2. Minute of silent prayer or meditation.
3. Adoption of the agenda.
4. Organization of work.
5. Report of the Credentials Committee.
6. Election of one member of the International Tribunal for the Law of the Sea.

